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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/824,262	04/02/2001	Jacklyn M. Dowdy	10004864-1	1534

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HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER

MILIA, MARK R

ART UNIT PAPER NUMBER

2622

DATE MAILED: 12/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/824,262

Applicant(s)

DOWDY, JACKLYN M.

Examiner

Mark R. Milia

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-10 and 14-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-10 and 14-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/16/05 has been entered. Currently, claims 1-3, 5-10, and 14-17 are pending.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1, 8, and 15 have been considered but are moot in view of the current amendments to the claims and therefore a new ground(s) of rejection will be made.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 5-10, and 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimizu in view of U.S. Patent No. 5892843 to Zhou et al. as cited in the Notice of References Cited dated 11/4/04.

Regarding claims 1, 8, and 15, Shimizu discloses a document management system, method, and program storage device readable by a computer, tangibly embodying a program, applet, or instructions executable by a computer to perform managing documents, comprising: (a) an imaging device configured to create an image of a document (see column 1 lines 10-14, column 9 lines 6-8 and 30-31, column 10 lines 5-9, and column 19 lines 56-61), (b) a keyword identifier configured to identify at least one keyword in the document image (see Fig. 12 and column 12 lines 46-49), (c) a document labeler configured to generate a name for the document image from the at least one keyword (see column 19 lines 1-5), and (d) a storage system configured to store the document image with the name for the document image as the name of the document image (see column 19 lines 50-61).

Shimizu does not disclose expressly detecting a graphic image within the image of the document, wherein the graphic image is a field indicator, locate keyword fields in the document image, relative to the graphic image.

Zhou discloses a keyword identifier configured to detect a graphic image within the image of the document, wherein the graphic image is a field indicator, locate keyword fields in the document image, relative to the graphic image, and identify at least one keyword in the document image (see Figs. 1 and 11, column 1 lines 8-15,

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column 2 lines 29-31, and column 10 line 47-column 11 line 10, reference shows that a graphic image (photo) is detected within a document image (original bitmap image "20") and text associated with the photo can also be detected based on the photo region area, which is analogous to the claim limitation).

Shimizu & Zhou are combinable because they are from the same field of endeavor, detection of regions of image/text in a document image.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the use of graphic image (photo) located within a document image to direct a system to detect a caption/text associated with the image as described by Zhou with the system of Shimizu.

The suggestion/motivation for doing so would have been to provide faster and more reliable searching a documents that are in image format without the need to convert the entire document to a text format and provide greater reliability in the identification of text associated with a graphic image (photo).

Therefore, it would have been obvious to combine Zhou with Shimizu to obtain the invention as specified in claims 1, 8, and 15.

Regarding claims 2, 9, and 16, Shimizu and Zhou disclose the system discussed above in claims 1, 8, and 15, and Shimizu further discloses wherein the keyword identifier includes an optical character recognizer configured to recognize characters in the document image (see Fig. 12 and column 12 lines 41-46).

Regarding claims 3, 10, and 17, Shimizu and Zhou disclose the system discussed above in claims 2, 9, and 16, and Shimizu further discloses wherein the keyword identifier includes a word detector configured to detect words from characters recognized in the document image (see column 9 lines 13-15).

Regarding claim 5, Shimizu and Zhou disclose the system discussed above in claim 1, and Shimizu further discloses wherein the storage system includes a document storage device (see Fig. 58).

Regarding claim 6, Shimizu and Zhou disclose the system discussed above in claim 1, and Shimizu further discloses wherein the storage system includes a file system (see Fig. 2 and column 10 lines 1-4).

Regarding claims 7 and 14, Shimizu and Zhou disclose the system discussed above in claims 1 and 8, and Shimizu further discloses wherein the storage system includes a database (see Fig. 12 and column 12 lines 47-49).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark R. Milia whose telephone number is (571) 272-7408. The examiner can normally be reached M-F 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached at (571) 272-7402. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark R. Milia  
Examiner  
Art Unit 2622

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